

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

FRANK NESCI,

Plaintiff,

v.

WASHOE COUNTY DETENTION
CENTER, *et al.*,

Defendants.

Case No. 3:25-CV-00155-MMD-

CLB ORDER

Plaintiff Frank Nesci brings this civil-rights lawsuit to redress constitutional violations that he allegedly suffered while incarcerated. Plaintiff has filed the following three motions: (1) a motion for production, (ECF No. 4); (2) a motion to compel for court intervention, (ECF No. 5); and, (3) a motion for summary judgment. (ECF No. 8.) Each of these motions is premature and procedurally improper at this time. Therefore, each of these motions must be denied.

As the Court explained in the advisory letter that it sent Plaintiff when he initiated this action, “[t]he Court will review your complaint before docketing and service of defendants.” (ECF No. 2 at 1.) Review means that the Court will “screen” the complaint under 28 U.S.C. § 1915A “to identify any ‘colorable claims’” and dismiss any claims that are frivolous, malicious, or fail to state a colorable claim for relief or seek monetary damages from any defendant who is immune from that relief.” (*Id.*) “This process may take many months.” (*Id.*) Until this process has taken place, there are no claims that require any type of discovery to be provided, court intervention, or summary judgment.

The Court has not yet screened Plaintiff’s complaint nor has the Court ordered service on any defendant. Plaintiff does not need discovery for any matter that is currently before the Court. The Court will screen Plaintiff’s complaint in the ordinary course and the Court will order service on the defendants when it is time to do so. Discovery will not proceed until the defendants have been served and made an appearance in this case.

The Court understands that Plaintiff is proceeding pro se and it may be difficult to understand the process of litigation. However, Plaintiff is advised that all litigants, whether appearing *pro se* or represented by an attorney, are required to follow the Federal Rules of Civil Procedure, the Local Rules of this District, and this Court's standing orders. See, e.g., *Briones v. Rivera Hotel & Casino*, 116 F.3d 379, 382 (9th Cir. 1997) ("pro se litigants are not excused from following court rules"); *King Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987) ("[p]ro se litigants must follow the same rules of procedure that govern other litigants"), *overruled on other grounds by Lacey v. Maricopa Cnty.*, 693 F.3d 896 (9th Cir. 2012.) Plaintiff is cautioned that the Court may strike any additional motion he files that fails to comply with these basic requirements.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE

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